

**King County District Court**  
**2011 Budget Presentation to Council**

**April 14, 2010**

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**Prior Budget Reductions**

Between 2001 and 2005, King County District Court sustained approximately \$5.6 million in budget reductions that resulted in the closure of two courthouses, the elimination of five judge positions, layoffs of approximately 30 staff and the elimination of an additional 30 critical management, probation and clerical positions. These cuts left the Court severely understaffed.

District Court responded to the cuts by virtually reinventing its operations. The Court created a comprehensive Operational Master Plan (OMP) which was adopted by the Council in 2005. Since that time District Court has implemented numerous efficiencies:

- Electronic court records
- Award winning Interpreter Web Application
- Video Conferencing
- Best practices for case setting and clerical procedures
- Innovative electronic master calendaring system
- New full cost recovery model Interlocal agreements with cities that contract for municipal court services
- A single database for District Court cases at all locations,
- Electronic timekeeping for employees
- Electronic payments by phone or over the web for customers
- Consolidation of State criminal caseload at 3 rather than 9 locations
- Consolidation of State infraction caseload at 3 rather than 9 locations
- Widespread use of Community Corrections as an alternative to jail days
- Award winning improvements to the District Court Call Center
- Reduced space usage by nearly 6,000 square feet in order to save overhead costs
- SharePoint software based court-wide training and knowledge sharing program

Despite the efficiencies instituted by District Court over the past several years, the imbalance between workload and staffing have affected levels of service and placed a tremendous strain on the Court. **In 2009, the Court's caseload reached its highest point since 2003.**

In 2007, the National Center for State Courts (NCSC) conducted a comprehensive staff need assessment that concluded District Court was understaffed by 57 employees. Despite receiving funding for 21 of the 57 needed positions, the court's caseload has steadily increased since the time of the study. The Court's workload is higher now than it was when the assessment was conducted, and the Court continues to be understaffed by the NCSC objective measurement.

To manage the significant cuts to the District Court budget in 2009, the Court placed roughly 80% of its employees on unpaid furlough for 10 days. This resulted in service level impacts to the public and a challenging work environment.

## **New Revenues**

District Court has worked to ensure that its practices include assessing the fees that existing State law authorizes courts of limited jurisdiction to impose. In addition, District Court played a significant role in legislative changes that permit District Courts to charge a fee for Civil Ex Parte work as of July 2009. As a result additional revenues were collected as a means to address budget cuts:

- Civil Ex Parte fees newly authorized by state law have generated roughly \$180,000 in new revenue since the law became effective in July 2009
- Administrative fees for Warrants and Deferred Findings were raised to the maximum amount allowed
- New default fees for failure to pay parking infractions were implemented
- NSF check fees were raised
- The court designed a new “pay-per-view” system for public access to District Court's electronic court records that will improve access to justice as well as generate revenue,
- District Court conducted a one time, month-long “Debt Reduction Campaign” to provide individuals in collection status, with incentives to pay their unpaid fines and fees.

District Court collected over \$16.7 million in 2009.

## **Mentally Ill and Drug Dependant (MIDD) Savings:**

The MIDD fund now provides resources for the District Court Mental Health Court program and services. This new funding has allowed the court to expand its award winning Mental Health Court services to all the cities in King County.

## **2011 Potential Budget Impact to the District Court:**

The County General Fund is facing an additional \$60 million deficit for 2011 with more deficits looming for 2012. The law, safety and justice providers in King County are solely supported by, and comprise 76% of the General Fund. District Court cannot sustain further cuts, and has no authority to generate added revenues beyond the limited fees and fines already imposed. While still committed to finding additional efficiencies through advances in technology (i.e. eFiling), there are no efficiencies on the horizon that will make up for the gaping hole in the General Fund in 2011.

District Court provides only three programs that are not legally mandated: Probation, Relicensing and Passport Application Services.

## **Probation Services**

The Court provides probation services for serious Domestic Violence and DUI offenders. The elimination of District Court Probation Services would be a savings of \$2,038,994. However, this extreme and drastic cut would mean that repeat drunk drivers and domestic violence offenders will go without supervision. The likely result will be increased recidivism, threatening public safety in the communities, and further burdening jails and Courts. At the beginning of 2010, there were 2,470 cases on active probation (the highest level of supervision) and over 32,000 cases were on compliance monitoring. Probation services enable the Court to monitor whether defendants attend court ordered drug and alcohol treatment, whether they comply with

protection orders, and whether they are rearrested or charged with new offenses. Probation and compliance monitoring services enable the Court to respond and intervene quickly upon learning of probation violations, which is critical to effective sentencing. It should be noted that Probation Services for Mental Health Court is now funded by MIDD supplantation funds.

### **Relicensing Program**

District Court implemented a full service Relicensing Program in 2002, to assist individuals with suspended licenses to become legal, licensed drivers. The Relicensing Program diverts otherwise criminal misdemeanor driver's license offenses out of the system. The program works in two ways, the hallmark of which is Pre-filing Diversion. Essentially, the King County Prosecutor diverts all new incidents of Driving While License Suspended Third Degree and No Valid Operator's License out of the criminal court system and into the Relicensing program.

District Court also permits "walk-ins" to the program. Individuals who already have a suspended driver's license but no pending charges, or individuals with pending charges who want help obtaining their license, may appear as "walk-ins." Walk-ins seek to address their unpaid traffic tickets in order to renew their driver's license. In 2009 over 1,000 individuals took advantage of this walk-in service.

The Relicensing Program requires the commitment of court resources at a high level; however because of this commitment of resources, approximately 3,000 criminal cases involving Driving While License Suspended in the Third Degree did not get filed in 2009. As a result, there were approximately 3,000 fewer public defender appointments, and thousands of jail days and other resources saved in other King County general fund dependant entities.

The elimination of the Relicensing Program would be a savings of \$210,825. However, the elimination of this program would likely result in all driver's license offenses coming back into the criminal court system, further burdening the Prosecuting Attorney, Public Defenders, jails and Courts.

### **Passport Services**

District Court, for many years has provided a community service that allows approximately 10,000 citizens each year to apply for Passports at their local District Court location. The elimination of the Passport Application Service would be a savings of \$204,324, however, this service is entirely revenue backed.